

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

INNOVA PATENT LICENSING, LLC,

Plaintiff,

v.

3COM CORPORATION, et al.,

Defendants.

§§§§§ Civil Action No. 2:10-cv-00251-DF-CE

§§§§§ JURY TRIAL DEMANDED

**AGREED MOTION TO DISMISS WITH PREJUDICE
AS TO BANK OF AMERICA CORPORTION**

Pursuant to the Federal Rules of Civil Procedure, Plaintiff InNova Patent Licensing, LLC and Defendant Bank of America Corporation, represented by their attorneys, hereby stipulate and agree as follows:

1. The Complaint filed by InNova Patent Licensing, LLC against Defendant Bank of America Corporation, including all claims and causes of action asserted by Plaintiff InNova Patent Licensing, LLC against Defendant Bank of America Corporation, are dismissed with prejudice to the Plaintiff to re-filing same.

2. Any and all pending motions or requests for relief by Plaintiff InNova Patent Licensing, LLC or Defendant Bank of America Corporation in this action are hereby withdrawn.

3. Each party is to bear its own costs and fees, including attorneys' fees.

So agreed and stipulated.

A proposed order is attached as Exhibit A.

Dated: November 30, 2010

Respectfully submitted,

/s/ Christopher D. Banys
Christopher D. Banys

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ATTORNEYS FOR DEFENDANT BANK OF
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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 30th day of November, 2010.

/s/ Lilli C. McBride

Lilli C. McBride